## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Arturo Reyes, Bryon Goins and Armando de la Fuente Peralta, on behalf of themselves and all others similarly situated, Plaintiff(s),

Judge Baer Index No. 08 CV 02494

AFFIDAVIT OF SERVICE

-against-

Buddha-Bar NYC; Little Rest Twelve, Inc.; Nina Zajic; David Kay; and Abdul Rahman EL Jastimi a/k/a Peter Jastimi,

Defendant(s).

STATE OF NEW YORK

S.S.

COUNTY OF NEW YORK)

ROBERT MILLS, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 23<sup>rd</sup> day of June 2008, at approximately the time of 2:50 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION**, **CLASS COMPLAINT JURY TRIAL DEMANDED AND JUDGES' RULES** upon David Kay at 17 Little West 12<sup>th</sup>

Street, Suite 315, New York, NY 10014, by personally delivering and leaving the same with David Kay at that address. At the time of service, deponent asked David Kay if he is in active military service for the United States of America or for the State in any capacity whatever or dependent upon a person in active military service and received a negative reply.

David Kay is a white male, approximately 35 years of age, stands approximately 5 feet 10 inches tall and weighs approximately 200 pounds with black hair and dark eyes.

ROBERT MILLS #1004298

Sworn to before me this

30th day of June 2008

NOTARY PUBLIC

NOTARY PUBLIC - STATE OF NEW YORK
NO. 01RI6109718
—QUALIFIED IN NEW YORK COUNTY
COMMISSION EXPIRES MAY 17, 2012

D.L.S., Inc. 401 Broadway Ste 510 NY, NY 10013 212-925-1220 www.dlsny.com